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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/306,038 | 05/06/1999 | CLARENCE C. RUDD | RCA88959 | 2948 |

7590 11/26/2002

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EXAMINER

TRAN, QUOC DUC

| ART UNIT | PAPER NUMBER |
|----------|--------------|
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2643

DATE MAILED: 11/26/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/306,038

Applicant(s)

RUDD ET AL.

Examiner

Quoc D Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 September 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) 1-10 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 11-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 11-14 and 15-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Han (5,991,397) in view of Turnbull et al (6,088,362) and further in view of Heep et al (4,996,709).

Consider claims 11 and 15, Han teaches a multi line telephone system for providing paging feature comprising a first telephone for selecting a group of telephone in the system (col. 1 lines 20-22, and col. 6 lines 46-49); a first telephone initiate a voice message to the group of telephone; and the group of telephones receives and play the voice message from the first telephone automatically regardless of user action and wherein anyone of said group of telephones after hearing said voice message can initiate a two way conversation with the user of the first telephone (col. 7 lines 2-9).

It should be noted that Han is directed to the switching system. Thus it is not a KSU system. Therefore, Han did not clearly suggest wherein the system is a KSU-less system. However, Turnbull et al suggest a KSU-less system providing intercom feature (col. 1 lines 45-55).

Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Turnbull et al into view of Han in order to provide subscribers with accessible system-type features that enhance customer services.

Furthermore Han and Turnbull et al did not suggest a half-duplex channel for communication. However, Heep et al teach an intercom system having a speaker portion where communication can be established in half-duplex or full-duplex mode (col. 1 lines 53-55).

Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to utilize the teaching of Heep et al into view Han in order to provide different modes of communication.

Consider claims 12 and 16, Turnbull et al teach the system wherein at least one of the group telephones comprising a display for providing an identification number of the first telephone (Fig. 2).

Consider claims 13 and 17, Han teaches a timer for setting a predetermined period for the one-way communication response (see col. 5 line 52-63). Han did not suggest wherein the voice message is automatically terminated at a predetermined period. However, it is obvious to one of the ordinary skill in the art to acknowledge that when the predetermined time has expired, the communication is automatically terminated. Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to include the stop of terminating the communication when the paging telephone is on-hook in order to end the communications session.

Consider claims 14 and 18, Han teaches the system wherein the two-way communication is initiated by being in an off-hook mode (col. 7 lines 5-9).

Response to Arguments

3. Applicant's arguments filed 9/17/2002 have been fully considered but they are not persuasive.

Regarding applicant's argument that Han does not suggest "the group of telephones receive and play the voice message from the first telephone", and further that Han described an embodiment related to the paging function when the caller does not know the number of the desired extension or the number of an extension group to which the extension subscriber belongs.

Accordingly, the examiner respectfully disagrees with applicant's argument. Han recited, "When the caller at the site of the central office subsequently dials the number of a desired extension subscriber or the number of an extension group to which the extension subscriber belongs...the voice message is then announced, thereby reporting the incoming call" (see col. 6 lines 46-57). Thus, an extension group is known to contain at least 2 telephone extensions. When the voice message is announced to the extension group, it is outputted over that group. Furthermore, the above recited passage clearly indicated that the caller knows the desired extension or extension group when initiate the call. Therefore, Han clearly reads on applicant's limitation as claimed.

Regarding applicant's argument that "Han patent is not shown or describe as connected to the subscriber circuit 115 of Han, such subscriber circuit having the telephone or subscribers connected thereto". Accordingly, the examiner respectfully disagrees. Han's disclosure clearly suggested "central processing unit 111 controls subscriber circuit 115 to send an output from ring generator 116 to telephone set of a desired extension subscriber (see col. 5 lines 41-50). It should

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be noted that the ringing signal is applied to the extension subscriber when the automatic attendant function is not used. Thus, when the automatic attendant function is used, voice message is generated in place of the ring signal.

Applicant continues on and argued for the similar reason as above. Therefore, response will be the same as provided above.

Regarding new claims 15-18. Since claims 15-18 contain similar limitations to claims 11-14, they will be rejected for the same reason set forth above.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

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Facsimile responses should be faxed to:

(703) 872-9314

Hand-delivered responses should be brought to:

Crystal Park II, 2121 Crystal Drive


Arlington, VA., Sixth Floor (Receptionist)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Quoc Tran** whose telephone number is **(703) 306-5643**. The examiner can normally be reached on Monday-Thursday from 8:00 to 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Curtis Kuntz**, can be reached on **(703) 305-4708**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Technology Center 2600** whose telephone number is **(703) 306-0377**.

November 20, 2002


CURTIS KUNTZ
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600